

REMARKS

Claims 1-14 are pending and stand rejected under 35 U.S.C. § 102(e) over Asakura, U.S. Patent No. 6,460,073. By this Amendment, Applicant amends claims 1-2, 6, 8-9 and 13, and traverses these rejections. Reconsideration is respectfully requested.

In paragraph 2 of the Office Action, the Office Action states that “Asakura does disclose that the format of the message is changed in a manner to be receivable by the receiving terminal” (citing Asakura at column 8, lines 38-42). In turn, the 35 U.S.C. § 102(e) rejection under Asakura still stands.” In paragraph 3 of the Office Action, claims 1-14 are rejected under § 102(e) over Asakura.

However, nowhere does Asakura show or suggest, as required in independent claims 1, 2, 6, 8, 9 and 13 of the present application, a data arrival informing method including “editing the received data based on characteristics of the user terminal by changing the *content* of the received data to result in edited data.” (Emphasis added.) Asakura calls for converting the received data, not changing the content of the received data. Specifically, Asakura provides that “[w]hen devices to be transferred to are facsimiles or mobile phones, the mail system 10 first *converts* the content of the electronic mail *into a receivable form* by those devices before transferring to the address.” (Column 8, lines 38-42, emphasis added.) Thus, Asakura merely shows that the data should be converted into a “receivable form” so that the receiving device is able to receive the data.

Each independent claim of the present application requires “editing the received data based on characteristics of the user terminal by changing the content of the received data to result in edited data.” By way of example, Figure 3 of Applicant’s drawings shows the original received data, and Figure 5 shows the result after changing the content of the received data to result in edited data. (See page 4.) Figure 5 is in fact described as “a view showing the result of editing.” (See page 4.) Although in Fig. 3 the “data title” reads

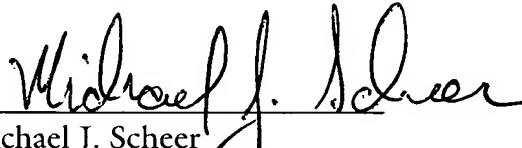
"Weather forecast of tomorrow", in Fig. 5 it reads "tomorrow forecast". This has resulted from editing, not mere converting. For the reasons given above, withdrawal of the rejections of independent claims 1-2, 6, 8-9 and 13 is respectfully requested.

Claims 3-5, 7, 10-12 and 14 depend on independent claims 1-2, 6, 8-9 and 13, and contain further patentable limitations therein. Accordingly, withdrawal of the rejections of dependent claims 3-5, 7, 10-12 and 14 is respectfully requested.

Applicant has shown that all pending claims are patentable under § 102. In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance and such action is earnestly solicited.

Dated: December 23, 2004

Respectfully submitted,

By 
Michael J. Scheer

Registration No.: 34,425
DICKSTEIN SHAPIRO MORIN &
OSHINSKY LLP
1177 Avenue of the Americas
41st Floor
New York, New York 10036-2714
(212) 835-1400
Attorney for Applicant

MJS/AJH/rra